

STATE OF WEST VIRGINIA

COUNTY OF PUTNAM, to-wit:

A F F I D A V I T

I, Special Agent Brian Morris, the Affiant, being duly sworn, do hereby depose and say as follows:

1. I am an "investigative or law enforcement officer of the United States" within the meaning of Title 18, United States Code, Section 2510(7). Specifically, I am a Special Agent with the Department of Homeland Security (hereinafter "HSI")", assigned to the Charleston, West Virginia, Resident Agency Office of the Washington DC Division. I have been employed as a Special Agent for HSI since March 2012. I am currently tasked with investigating violations of federal law within the Southern District of West Virginia and elsewhere. As part of my duties, I have received training regarding the investigation of various federal crimes including, but not limited to, child exploitation, civil rights, and violent crimes. By virtue of my HSI employment, I perform and have performed a variety of investigative tasks, including conducting arrests and the execution of federal search warrants and seizures. As a Special Agent, I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7).

2. I have worked with federal, state, and local law enforcement officers in the Southern District of West Virginia,

and elsewhere. Based on my experience and the experience of others, I am familiar with matters including, but not limited to, the means and methods used by persons who possess, collect, receive, distribute, otherwise traffick in and access with intent to view child pornography.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses.

4. On or about March 24, 2020, the Putnam County Sheriff's Office received a Cybertip through the National Center for Missing and Exploited Children for a report made by Google. Google reported that on or about January 28, 2020, two files were uploaded and reported as child pornography. A specific IP address was provided by Google in relation to this report. Google also provided an email address of sheamarshartnetwork@gmail.com.

5. The files flagged by Google in the Cybertip included one video of an adult male engaged in sexual intercourse with a prepubescent female minor. The minor appeared to be screaming and crying during the intercourse and it appeared that she was being held down by a third person who appeared to be a male. The second file flagged by Google in the Cybertip included three images of nude prepubescent females. Based on my training and experience, both the video and the images flagged in the Cybertip were child pornography.

6. Law enforcement investigators obtained information regarding the specific IP addresses associated with the Cybertip. The IP addresses were both assigned to Verizon. Law enforcement investigators learned that the IP address associated with the three images of nude prepubescent minors was assigned to a cellular device with a phone number that investigators later learned is the same number that is associated with Shea Marsh. Investigators also learned that the IP was registered to Shea Marsh and was associated with an email address of sheamarshartnetwork@gmail.com as well as a screen name of "artistshea88."

7. Results of an administrative subpoena showed the Verizon IP address was associated with a specific Notta Road residence in Hurricane, Putnam County, which is within the Southern District of West Virginia. Shea Marsh is a resident of that Hurricane address.

8. On or about July 15, 2020, law enforcement investigators executed a state search warrant at the Notta Road residence in Hurricane. They located Shea Marsh at that residence. Marsh agreed to speak with officers voluntarily and also signed a consent form allowing officers to search his cell phone.

9. During an interview with Marsh, he confirmed with investigators that he lived at the Notta Road residence in Hurricane. Marsh admitted that he had previously downloaded pornography that may have contained underage minors and that he had looked at questionable downloads, but claimed that he deleted

them upon realizing they contained underage minor females. Marsh admitted that he downloaded pornographic videos for sexual pleasure and would masturbate to them. Marsh admitted that he used his cell phone to download and view pornographic videos but was adamant that he did not purposefully download and view child pornography.

10. Subsequent to the interview, investigators conducted a forensic review of Marsh's black LG CDMA-LM-G710ZM G7 cell phone bearing an IMEI number of 355933094845735. This phone was seized on or about July 15, 2020, by investigators at Marsh's Hurricane residence. On that cell phone, investigators located over 1400 videos of child pornography and over 100 images of child pornography. These included videos and images of prepubescent minors engaged in sexually-explicit conduct.

11. Based upon my experience and training, the videos possessed by Shea Marsh on his cell phone constitute child pornography.

Further your affiant sayeth naught.

S/A Brian Morris
SA BRIAN MORRIS

Sworn to before me, and subscribed via electronic means, this
28th day of July 2020.

Cheryl A. Eifert
CHERYL A. EIFERT
United States Magistrate Judge